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In re Application of :
John Hoffman : **DECISION ON PETITION**
Application No. 10/764,710 :
Filed: 01/24/2004 :
Attorney Docket No. :

This is a decision on the Petition To Withdraw Holding of Abandonment under 37CFR 1.81 (a), received in the United States Patent and Trademark Office (USPTO) January 29 and January 30, 2008.

The petition is **GRANTED**.

The application was held abandoned for failure to timely submit the Issue fee and Publication fee as required by the Notice of Allowance, mailed September 24, 2007 which set forth a three (3) month statutory period for reply. The issue fee was not received prior to the abandonment date. Accordingly, the Notice of Abandonment was mailed on January 24, 2008. The issue fee transmittal and a check for \$1, 740.00 was received on January 25, 2008

Petitioner states that the issue fee transmittal and payment were timely filed on December 24, 2007. Petitioner submitted a copy of the original submission which included a properly completed Certificate of Mailing.

In view of the foregoing, the holding of abandonment for failure to timely submit the issue fee is hereby withdrawn and the application is restored to pending status.

The application will be forwarded to the Publications Branch for processing.

Telephone inquiries relating to this matter may be directed to the undersigned in the Office of Data Management at 571-272-4200.

Kimberly Terrell, Manager
Office of Data Management
Publications Branch